

conspicuously marked on the outside of each package in terms of weight or measure.

On March 27, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10705. Adulteration and misbranding of cider. U. S. v. 4 Barrels and 6 Barrels of Cider. Default decrees of condemnation, forfeiture, and destruction. (F. & D. Nos. 16082, 16083. I. S. No. 8837-t. S. No. E-3840.)

On April 6, 1922, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district libels for the seizure and condemnation of 10 barrels of cider, remaining in the original unbroken packages at Baltimore, Md., consigned on or about March 13, 1922, alleging that the article had been shipped by the Interstate Fruit Product Co., Charles Town, W. Va., and transported from the State of West Virginia into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "Pure Apple Juice Heck and Heck Brand Manufactured by International Fruit Product Co., Baltimore, Md. * * *"

Adulteration of the article was alleged in the libel for the reason that a substance, saccharin, had been mixed and packed therewith so as to reduce and lower and injuriously affect its quality and strength, for the further reason that a fermented apple juice containing saccharin had been substituted wholly or in part for pure apple juice, which the article purported to be, and for the further reason that it contained an added poisonous or other deleterious ingredient, saccharin, which might have rendered it injurious to health.

Misbranding was alleged in substance for the reason that the statement on the label of the barrels containing the article, "Pure Apple Juice," was false and misleading, and deceived and misled the purchaser.

On June 15, 1922, no claimant having appeared for the property, judgments of condemnation and forfeiture were entered, and it was ordered by the court that the product be destroyed by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10706. Adulteration and misbranding of cider vinegar. U. S. v. 32 Barrels of Vinegar. Default decree of condemnation, forfeiture, and sale. (F. & D. No. 16105. I. S. No. 17027-t. S. No. E-3843.)

On April 19, 1922, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 32 barrels of vinegar, remaining in the original unbroken packages at Cumberland, Md., consigned November 16, 1921, alleging that the article had been shipped by the De Luxe Produce Co., Allegheny, Pa., and transported from the State of Pennsylvania into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act. The article was labeled in part: "De Luxe Produce Co., Pure Cider Vinegar, Pittsburgh, Pa. 50."

Adulteration of the article was alleged in the libel for the reason that a substance, distilled vinegar, had been mixed and packed with the said article so as to reduce, lower, and injuriously affect its quality and strength and had been substituted wholly or in part therefor.

Misbranding was alleged in substance for the reason that the statement appearing on the labels of the barrels containing the article, "Pure Cider Vinegar," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of, and was offered for sale under the distinctive name of, another article.

On June 30, 1922, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be sold by the United States marshal.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10707. Adulteration and misbranding of vinegar. U. S. v. 34 Barrels of Vinegar. Decree of condemnation and forfeiture. Product released under bond. (F. & D. No. 16113. I. S. No. 8836-t. S. No. E-3849.)

On April 19, 1922, the United States attorney for the District of Maryland, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 34 barrels of vinegar, remaining in the original unbroken packages at Cum-

berland, Md., consigned November 29, 1921, alleging that the article had been shipped by the National Fruit Product Co., Martinsburg, W. Va., and transported from the State of West Virginia into the State of Maryland, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that distilled vinegar had been mixed and packed with the said article so as to reduce and lower and injuriously affect its quality and strength and had been substituted wholly or in part for the article.

Misbranding was alleged in substance for the reason that the statement appearing on the label of the barrel containing the article, to wit, "National Fruit Product Co. Pure Apple Vinegar Made from Evaporated Apple Products," was false and misleading and deceived and misled the purchaser. Misbranding was alleged for the further reason that the article was an imitation of and was offered for sale under the distinctive name of another article, and for the further reason that it was (food) in package form and the quantity of the contents was not plainly and conspicuously marked on the outside of the package.

On May 5, 1922, the National Fruit Product Co., claimant, having admitted the allegations of the libel, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be released to the said claimant, upon payment of the costs of the proceedings and the execution of a bond in the sum of \$300, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10708. Adulteration of canned corn. U. S. v. 1000 Cases of Canned Corn. Consent decree of condemnation and forfeiture. Product released on bond for salvaging. (F. & D. No. 16120. I. S. No. 3924-t. S. No. C-3538.)

On April 21, 1922, the United States attorney for the Western District of Oklahoma, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel, and on April 25, 1922, an amended libel, for the seizure and condemnation of 1,000 cases of canned corn, remaining unsold in the original unbroken packages at Oklahoma City, Okla., alleging that the article had been shipped on or about March 15, 1922, by the Dexter-Farmer Canning Co., Van Horn, Iowa, and transported from the State of Iowa into the State of Oklahoma, and charging adulteration in violation of the Food and Drugs Act. The article was labeled in part: "Ever Ready Corn * * * Packed by Dexter-Farmer Canning Co. Dexter, Ia., Van Horne, Ia."

Adulteration of the article was alleged in substance in the libel for the reason that it consisted wholly or in part of a filthy and decomposed vegetable substance.

On May 24, 1922, the Dexter-Farmer Canning Co., claimant, having admitted the allegations of the libel and consented to a decree, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product might be released to said claimant for salvaging under the supervision of this department, and that such portion of said product as might be found to be adulterated be destroyed, upon payment of all the costs of the proceeding and the execution of bond in the sum of \$2,000, in conformity with section 10 of the act.

C. W. PUGSLEY, *Acting Secretary of Agriculture.*

10709. Adulteration and misbranding of butter. U. S. v. 80 Cases of Morris Supreme Fancy Creamery Butter. Consent decree of condemnation and forfeiture. Product released on bond for reworking, repacking, and relabeling. (F. & D. No. 16383. I. S. No. 8199-t. S. No. E-3900.)

On June 7, 1922, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the District Court of the United States for said district a libel for the seizure and condemnation of 80 cases of an article labeled, "Morris Supreme Fancy Creamery Butter, 1 Pound Net," remaining unsold in the original unbroken packages at Savannah, Ga., alleging that the article had been shipped on May 31, 1922, by Morris & Co., Nashville, Tenn., and transported from the State of Tennessee into the State of Georgia, and charging adulteration and misbranding in violation of the Food and Drugs Act, as amended.

Adulteration of the article was alleged in the libel for the reason that excessive water had been mixed and packed with and substituted in part for the article.

Misbranding was alleged for the reason that the statement on the labels on the cartons containing the article regarding it, "Butter, 1 Pound Net," was